

**ASSEMBLY BILL**

**No. 2084**

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**Introduced by Assembly Member Brownley**

February 18, 2010

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An act to add Section 1596.808 to the Health and Safety Code, relating to child day care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2084, as introduced, Brownley. Child day care facilities: nutrition. Existing law, the California Child Day Care Facilities Act, administered by the State Department of Social Services, provides for the licensure and regulation of child day care facilities, as defined. Willful or repeated violation of these provisions is a misdemeanor.

This bill would require a licensed child day care facility to follow specified guidelines relating to the provision of beverages. By expanding the definition of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. The Legislature finds and declares all of the  
2     following:

1 (a) Almost 20 percent of children between two and five years  
2 of age in California are overweight or obese and research shows  
3 that this condition is difficult to reverse in adolescence or  
4 adulthood.

5 (b) Millions of California children enter school with unhealthy  
6 taste preferences and dietary habits developed in the early  
7 childhood environment, including child day care facilities.

8 (c) Research demonstrates that taste preferences and lifelong  
9 healthy habits are formed in early childhood years.

10 (d) Recent changes to school meals to improve nutrition need  
11 to be complemented by changes to the nutritional environment in  
12 child care.

13 (e) Recent research demonstrates that the nutritional  
14 environment in child day care facilities could be improved by  
15 limiting sugar-sweetened beverages and promoting water  
16 consumption.

17 (f) The State of California has a deep policy and financial  
18 involvement in the licensed child day care system and in the health  
19 and safety of children when they are in the system.

20 SEC. 2. Section 1596.808 is added to the Health and Safety  
21 Code, to read:

22 1596.808. A licensed child day care facility shall comply with  
23 all of the following requirements:

24 (a) Serve only 1 percent milk or nonfat milk to children two  
25 years of age or older.

26 (b) Limit juice to not more than one serving per day of 100  
27 percent juice.

28 (c) Serve no beverages with added sweeteners, either natural or  
29 artificial.

30 (d) Make clean and safe drinking water readily available and  
31 accessible for consumption throughout the day, particularly with  
32 meals and snacks.

33 SEC. 3. No reimbursement is required by this act pursuant to  
34 Section 6 of Article XIII B of the California Constitution because  
35 the only costs that may be incurred by a local agency or school  
36 district will be incurred because this act creates a new crime or  
37 infraction, eliminates a crime or infraction, or changes the penalty  
38 for a crime or infraction, within the meaning of Section 17556 of  
39 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California  
2 Constitution.

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